

# Notice of Allowability

Application No.

09/645,794

Examiner

Vanel Frenel

Applicant(s)

WALLACH ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/2/07.
2. ☒ The allowed claim(s) is/are 1-3, 5-7, 13-17, 19-22, 68-71 and 73-80.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### **Notice to Applicant**

1. This communication is in response to the RCE filed on 4/2/07. Claims 4, 8-12, 18, 23-67 and 72 have been cancelled. Claims 1-3, 5-7, 13-17, 19-22, 68-71 and 73-80 are pending.

### ***Allowable Subject Matter***

2. Claims 1-3, 5-7, 13-17, 19-22, 68-71 and 73-80 are allowed. The following is an Examiner's statement of reasons for allowance.

Claims 1, 13, 14-15, 68 and 76-80 are directed to "receiving a third indication of a first time period in which a periodic payment is due, and a second time period in which the buyer must pay a financial balance corresponding to the item, the financial balance corresponding to a loan amount or a lease amount, and the second time period being greater than 1 year; calculating on a computer system a periodic recurring amount based on the insurance premium, the financial balance and the second time period; and receiving, from the buyer, a single payment corresponding to the periodic recurring amount within the first time period".

The closest prior art of record discloses "Fixed- Rate Mortgage Still Popular by Ruth Richey. Richmond Times-Dispatch. Richmond, Va.: Mar 16, 1986.pg.

Cline Leonard A. discloses "Life cycle of a net-leased property" Real Estate Review. New York: Fall 1997. Vol.27, Iss.3; pg.34, 5pgs.

Battersby Mark E. discloses "Lease, Buy or Reimburse Outside Sales Vehicles. Agency Sales. Irvine: Oct.1986. Vol.16, Iss. 10; pg.55, 3pgs. However, none of the cited prior art cited above discloses or fairly/suggests "receiving a third indication of a first time period in which a periodic payment is due, and a second time period in which the buyer must pay a financial balance corresponding to the item, the financial balance corresponding to a loan amount or a lease amount, and the second time period being greater than 1 year; calculating on a computer system a periodic recurring amount based on the insurance premium, the financial balance and the second time period; and receiving, from the buyer, a single payment corresponding to the periodic recurring amount within the first time period".

Claims 2-3, 5-7, 16-17, 19-22, 69-71 and 73-75 incorporate the features of claims 1, 13, 14-15, 68 and 76-80 through their dependencies, and are also allowed for the same reasons given above.

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Walter G. Hanchuk on 6/22/07. During the interview,

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Attorney agrees to incorporate the limitation "calculating on a computer system a periodic recurring amount based on the insurance premium, the financial balance and the second time period in claims 76, 77, 78 and 80 so that the case will be in condition for allowance No further questions were discussed.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 571-272-6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zeender, Ryan Florian can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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June 22, 2007

*Andrew Joseph Pich*  
Primary Examiner, Art Unit 3627